

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WALTER BUCKINGHAM,
Plaintiff,
vs.
LEWIS GENERAL TIRES, INC.,
Defendant.

CLERK'S CERTIFICATION/INDEX
Civil No: 13-CV-6264

I, MARY C. LOEWENGUTH, CLERK of the District Court of the UNITED STATES for the Western District of New York, DO, HEREBY CERTIFY that the foregoing docket entries, with the exception of the documents listed below are maintained electronically on the court's CM/ECF system and constitute the Record on Appeal in the above-entitled action.

The following document(s) are not available electronically and are currently maintained in traditional fashion in the U.S. District Court Clerk's Office.

All documents available electronically.

Any additional records which are not currently available electronically, please feel free to contact us and we will arrange for the document(s) to be made available to you.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of said Court to be hereto affixed at the City of Rochester, New York, this 17th day of April 2019.

Mary C. Loewenguth
Clerk of Court
United States District Court

(By): s/John H. Folwell
John H. Folwell
Deputy Clerk

U.S. DISTRICT COURT
U.S. District Court, Western District of New York (Rochester)
CIVIL DOCKET FOR CASE #: 6:13-cv-06264-EAW-MWP
Internal Use Only

Buckingham v. Lewis General Tires, Inc.
Assigned to: Hon. Elizabeth A. Wolford
Referred to: Hon. Marian W. Payson
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 05/22/2013
Date Terminated: 03/27/2019
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff**Walter Buckingham**

represented by **Walter Buckingham**
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Rochester, NY 14615
585-254-7917
PRO SE

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TERMINATED: 11/22/2017

V.

Defendant**Lewis General Tires, Inc.**

represented by **Mark R. Affronti**
Roach, Brown, McCarthy & Gruber, P.C.
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424 Main Street
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/22/2013	<u>1</u>	COMPLAINT against Lewis General Tires, Inc., filed by Walter Buckingham.(JHF) (Entered: 05/22/2013)
05/22/2013	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Walter Buckingham.(JHF) (Entered: 05/22/2013)
05/22/2013	<u>3</u>	MOTION to Appoint Counsel by Walter Buckingham.(JHF) (Entered: 05/22/2013)
05/22/2013	<u>4</u>	AUTOMATIC REFERRAL to Mediation. (JHF) (Entered: 05/22/2013)
05/22/2013		Notification of right to consent mailed to plaintiff. (JHF) (Entered: 05/22/2013)
06/07/2013	<u>5</u>	ORDER granting <u>2</u> Motion for Leave to Proceed in forma pauperis; denying without prejudice to renew <u>3</u> Motion to Appoint Counsel. Clerk directed to file plaintiff's papers and cause the U.S. Marshal to serve the summons, <u>1</u> complaint and this order upon the named defendant. Signed by Hon. John T. Curtin on 6/5/13. (JHF) (Entered: 06/11/2013)

06/11/2013		Remark: blank summons and U.S. Marshal form mailed to plaintiff to be completed by plaintiff and returned to Clerk's office for issuance. (JHF) (Entered: 06/11/2013)
06/18/2013		Summons Issued as to Lewis General Tires, Inc. (JHF) (Entered: 06/18/2013)
07/25/2013	<u>6</u>	SUMMONS Returned Executed by Walter Buckingham. Lewis General Tires, Inc. served on 7/11/2013, answer due 8/1/2013. (JHF) (Entered: 07/25/2013)
07/30/2013	<u>7</u>	ANSWER to Complaint by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Exhibit Rule 7.1 Disclosure, # <u>2</u> Certificate of Service)(Affronti, Mark) (Entered: 07/30/2013)
07/30/2013	<u>8</u>	CORPORATE DISCLOSURE STATEMENT by Lewis General Tires, Inc. identifying No Corporate Parent for Lewis General Tires, Inc. (JHF) (Entered: 07/31/2013)
07/31/2013		E-Filing Notification: one of the attachments to <u>7</u> ANSWER was the Rule 7.1 Disclosure, which should have been filed as CORPORATE DISCLOSURE STATEMENT. Clerk re-filed the document as <u>8</u> CORPORATE DISCLOSURE STATEMENT. Action required: none. (JHF) (Entered: 07/31/2013)
07/31/2013	<u>9</u>	ADR Notice and Plan electronically forwarded to attorney and mailed to plaintiff.(JHF) (Entered: 07/31/2013)
08/05/2013	<u>10</u>	TEXT ORDER REFERRING CASE to Magistrate Judge Hon. Marian W. Payson for all pretrial matters excluding dispositive motions. Signed by Hon. David G. Larimer on 8/5/13. (PR) (Entered: 08/05/2013)
08/20/2013		NOTICE OF RULE 16 SCHEDULING CONFERENCE: Scheduling Conference set for 10/9/2013 11:00 AM before Hon. Marian W. Payson. (KAH) (Entered: 08/20/2013)
10/09/2013	<u>11</u>	SCHEDULING ORDER (Please Note: This docket text may not contain the entire contents of the attached Order. It is your responsibility to read the attached Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Status Conference set for 4/17/2014 11:40 AM before Hon. Marian W. Payson. Stipulation of Selection of Mediator due by 11/6/2013. First Mediation Session due by 1/2/2014. Mediation To End by 3/3/2014. Mandatory Disclosures due by 12/6/2013. Motions to Join Parties/Amend Pleadings due by 1/31/2014. Fact Discovery to be completed by 4/30/2014. Dispositive Motions due by 6/27/2014. Responses due by 7/31/2014. Replies due by 8/15/2014. Signed by Hon. Marian W. Payson on 10/9/2013. (KAH) (Entered: 10/10/2013)
10/09/2013	<u>12</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Scheduling Conference held on 10/9/2013. Appearances: Walter Buckingham, pro se, Mark R. Affronti, Esq. for defendant (CAM) (Entered: 10/16/2013)
11/21/2013	<u>13</u>	ORDER DESIGNATING MEDIATOR (Designation of Patrick J. Solomon as Mediator in this case.) Signed by Hon. Marian W. Payson on 11/21/2013. (KAH) (Entered: 11/21/2013)
12/04/2013	<u>14</u>	RULE 26 DISCLOSURE by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 12/04/2013)
12/06/2013	<u>15</u>	RULE 26 DISCLOSURE by Walter Buckingham.(JHF) (Entered: 12/10/2013)
12/11/2013	<u>16</u>	REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 12/11/2013)
12/26/2013	<u>17</u>	2nd REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 12/27/2013)
01/15/2014	<u>18</u>	TEXT ORDER REASSIGNING CASE. Case reassigned to Elizabeth A. Wolford for all further proceedings. Hon. David G. Larimer no longer assigned to case. Signed by Hon. David G. Larimer on 1/15/14. (JHF) (Entered: 01/15/2014)
01/22/2014	<u>19</u>	RESPONSE to Discovery Request by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Affronti, Mark) (Entered: 01/22/2014)
01/22/2014	<u>20</u>	MOTION to Appoint Counsel by Walter Buckingham.(JHF) Modified on 1/22/2014 (JHF). (Entered: 01/22/2014)

01/22/2014		E-Filing Notification: revised docket text of <u>20</u> to "MOTION to Appoint Counsel" reflect correct filing event. (JHF) (Entered: 01/22/2014)
01/23/2014		E-Filing Notification: incorrect case number on caption of <u>19</u> RESPONSE. For future reference, please ensure correct case number listed on filed documents. Follow-up action required: none. (JHF) (Entered: 01/23/2014)
01/29/2014	<u>21</u>	MOTION to Amend/Correct <u>11</u> Scheduling Order,,, by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Affidavit Amend Case Management Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Certificate of Service)(Affronti, Mark) (Entered: 01/29/2014)
02/28/2014	<u>22</u>	DECISION ORDER denying without prejudice <u>20</u> Motion to Appoint Counsel. It is the plaintiff's responsibility to retain an attorney or press forward with this lawsuit <i>pro se</i> . Signed by Hon. Marian W. Payson on 2/28/2014. (KAH) (Entered: 02/28/2014)
03/07/2014	<u>23</u>	REQUEST for Production of Documents by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 03/07/2014)
03/07/2014	<u>24</u>	MOTION to Compel <i>and Preclude</i> by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Certificate of Service)(Affronti, Mark) (Entered: 03/07/2014)
03/07/2014	<u>25</u>	MOTION to Compel by Walter Buckingham.(JHF) (Entered: 03/07/2014)
03/19/2014	<u>26</u>	ORDER re <u>24</u> MOTION to Compel <i>and Preclude</i> filed by Lewis General Tires, Inc. Responses due by 4/11/2014. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 3/19/14. (CAM) (Entered: 03/19/2014)
03/19/2014	<u>27</u>	ORDER re <u>25</u> MOTION to Compel filed by Walter Buckingham. Responses due by 4/11/2014. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 3/19/14. (CAM) (Entered: 03/19/2014)
03/20/2014	<u>28</u>	MOTION for Miscellaneous Relief by Walter Buckingham.(JHF) (Entered: 03/21/2014)
03/31/2014	<u>29</u>	MOTION to Compel by Walter Buckingham.(JHF) (Entered: 04/01/2014)
03/31/2014	<u>30</u>	REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 04/01/2014)
04/07/2014	<u>31</u>	REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 04/07/2014)
04/07/2014	<u>32</u>	RESPONSE filed by Walter Buckingham. (JHF) (Entered: 04/07/2014)
04/08/2014	<u>33</u>	OBJECTIONS filed by Defendant Lewis General Tires, Inc... (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Certificate of Service)(Affronti, Mark) (Entered: 04/08/2014)
04/09/2014		E-Filing Notification: Letters, such as <u>33</u> OBJECTIONS, are never filed in the WDNY without first obtaining the prior permission of the Court. Without that permission, all future filings must be in proper pleading format per Local Rules. (JHF) (Entered: 04/09/2014)
04/10/2014	<u>34</u>	RESPONSE to Motion re <u>24</u> MOTION to Compel and Preclude filed by Walter Buckingham. (JHF) (Entered: 04/10/2014)
04/11/2014	<u>35</u>	AFFIDAVIT in Opposition re <u>25</u> MOTION to Compel filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 04/11/2014)
04/15/2014	37	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Hearing held on 4/15/2014 re <u>29</u> MOTION to Compel filed by Walter Buckingham, <u>28</u> MOTION for Miscellaneous Relief filed by Walter Buckingham, <u>25</u> MOTION to Compel filed by Walter Buckingham, <u>24</u> MOTION to Compel <i>and Preclude</i> filed by Lewis General Tires, Inc. Plaintiffs motion to change the location of his deposition (#28) is granted. Defendants motion to compel and preclude (#24) is denied without prejudice to renewal. Plaintiffs motions to compel (## 25, 29) are denied without

		prejudice. Defendants motion to amend the scheduling order (#21) is granted. Appearances: Walter Buckingham, pro se; Mark Affronti, Esq. for defendant(Digital Recording) (CAM) (Entered: 04/24/2014)
04/16/2014	<u>36</u>	ORDER & AMENDED SCHEDULING ORDER granting <u>28</u> Motion to Change Location of Deposition. Plaintiff's deposition is to be held in Rochester, NY, at a date and time to be agreed to by the parties and shall occur by 8/29/2014. Counsel for defendant shall advise the Court whether he would like to schedule the deposition to occur in the Kenneth B. Keating Federal Building; denying without prejudice to renewal <u>24</u> Motion to Compel. Plaintiff shall comply with 26(a)(1)(A)(iii) of the F.R.Civ.P. by providing to defense counsel by 4/25/2014, with a copy filed with the Court, a computation of each category of damages claimed by plaintiff; denying without prejudice to renewal <u>25</u> & <u>29</u> Motions to Compel. Plaintiff is reminded of his obligation to meet and confer pursuant to 37(a)(1) of the F.R.Civ.P. prior to filing any motions to compel pursuant to 37(a)(3) of the F.R.Civ.P.; granting <u>21</u> Motion to Amend Scheduling Order. The Court's 10/9/2013 Scheduling Order shall be amended as follows: Fact Discovery to be completed by 8/29/2014. Dispositive Motions to be completed by 10/31/2014. Responses due by 11/28/2014. Replies due by 12/12/2014. Signed by Hon. Marian W. Payson on 4/16/2014. (KAH) (Entered: 04/16/2014)
04/24/2014	<u>38</u>	Damages Claim Disclosure by Walter Buckingham. (JHF) (Entered: 04/24/2014)
04/30/2014	<u>39</u>	RESPONSE to Discovery Request by Lewis General Tires, Inc. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 04/30/2014)
05/07/2014	<u>40</u>	RESPONSE to Discovery Request by Walter Buckingham.(JHF) (Entered: 05/08/2014)
05/27/2014	<u>41</u>	RESPONSE to Letter dated 5/14/14 filed by Walter Buckingham. (JHF) (Entered: 05/27/2014)
07/16/2014	<u>42</u>	MOTION to Dismiss by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Certificate of Service)(Affronti, Mark) (Entered: 07/16/2014)
07/18/2014	<u>43</u>	ORDER re <u>42</u> MOTION to Dismiss filed by Lewis General Tires, Inc. Responses due by 8/15/2014. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 7/18/14. (CAM) (Entered: 07/18/2014)
07/25/2014	<u>44</u>	RESPONSE TO <u>42</u> MOTION TO DISMISS AND MOTION to Compel by Walter Buckingham.(TA) (Entered: 07/28/2014)
07/29/2014	<u>45</u>	AFFIDAVIT of Service re Ad from Lewis General Tires, filed by Walter Buckingham.re: <u>44</u> Response (TA) (Entered: 07/30/2014)
08/15/2014	<u>46</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>42</u> MOTION to Dismiss . (CAM) (Entered: 08/25/2014)
01/14/2015	<u>47</u>	Mediation Certification by Patrick J. Solomon(Solomon, Patrick) (Entered: 01/14/2015)
03/03/2015	<u>48</u>	DECISION & ORDER Defendant's motion to dismiss the complaint or for other sanctions <u>42</u> is denied. Plaintiff's application for an order compelling defendant to respond more fully to plaintiff's discovery requests <u>44</u> is also denied. Plaintiff is ordered to produce documents and serve and file interrogatory answers in response to defendant's requests by 3/20/2015 in accordance with the directions set forth herein. Plaintiff is further reminded of his obligation to confer with counsel for defendant about any discovery disputes prior to filing any motions relating to those disputes. Should the Court determine that either party has violated the duty to confer or to communicate with one another in good faith in order to litigate this action in accordance with applicable rules, appropriate sanctions may be imposed. Signed by Hon. Marian W. Payson on 3/3/2015. (KAH) (Entered: 03/03/2015)
03/19/2015	<u>49</u>	RESPONSE to re <u>48</u> Order, filed by Walter Buckingham. (JHF) (Entered: 03/19/2015)
03/31/2015	<u>50</u>	AFFIRMATION OF SERVICE by Walter Buckingham, letter dated 3/27/15 (TF) (Entered: 04/01/2015)

04/16/2015	<u>51</u>	LETTER ORDER (Mr. Buckingham may submit the agreement to this Court for <i>in camera</i> review. He must do so by no later than 4/27/2015.) Signed by Hon. Marian W. Payson on 4/16/2015. (KAH) (Entered: 04/16/2015)
04/17/2015	<u>53</u>	LETTER RESPONSE re interrogatories filed by Walter Buckingham. (JHF) (Entered: 04/24/2015)
04/17/2015	<u>54</u>	LETTER RESPONSE re recording of termination filed by Walter Buckingham. CD recording maintained in Clerk's file. (JHF) (Entered: 04/24/2015)
04/24/2015	<u>52</u>	ORDER granting request to disregard request for an ex parte <i>in camera</i> review. Signed by Hon. Marian W. Payson on 4/24/2015. (KAH) (Entered: 04/24/2015)
04/24/2015	<u>55</u>	INTERROGATORIES Propounded and REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 04/24/2015)
04/28/2015	<u>57</u>	RESPONSE to Discovery Request by Walter Buckingham.(JHF) (Entered: 04/30/2015)
04/30/2015	<u>56</u>	Written Recording Transcript by Walter Buckingham. (JHF) (Entered: 04/30/2015)
05/22/2015	<u>58</u>	RESPONSE to Discovery Request from Lewis General Tires by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 05/22/2015)
05/26/2015		E-Filing Notification: please note the case number in caption of <u>58</u> RESPONSE to Discovery Request is incorrect. Action required: none for this document, but please have correct case number on all future documents. (JHF) (Entered: 05/26/2015)
06/02/2015	<u>59</u>	INTERROGATORIES Propounded and REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 06/03/2015)
06/05/2015	<u>60</u>	INTERROGATORIES Propounded and REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 06/10/2015)
06/22/2015	<u>61</u>	INTERROGATORIES Propounded and REQUEST for Production of Documents by Walter Buckingham.(JHF) (Entered: 06/25/2015)
07/15/2015	<u>62</u>	RESPONSE to Discovery Request from Plaintiff by Lewis General Tires, Inc..(Affronti, Mark) (Entered: 07/15/2015)
07/15/2015	<u>63</u>	RESPONSE to Discovery Request from Plaintiff by Lewis General Tires, Inc..(Affronti, Mark) (Entered: 07/15/2015)
07/27/2015	<u>64</u>	RESPONSES to re <u>62</u> Response to Discovery, <u>63</u> Response to Discovery filed by Walter Buckingham. (JHF) (Entered: 07/30/2015)
07/31/2015	<u>65</u>	AMENDED RESPONSES to re <u>62</u> Response to Discovery, <u>63</u> Response to Discovery filed by Walter Buckingham. (JHF) (Entered: 07/31/2015)
10/06/2015	<u>66</u>	MOTION for Miscellaneous Relief by Walter Buckingham.(JHF) (Entered: 10/07/2015)
10/15/2015	<u>67</u>	ORDER re <u>66</u> MOTION for Miscellaneous Relief filed by Walter Buckingham. Responses due by 11/6/2015. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 10/15/15. (CAM) (Entered: 10/16/2015)
10/20/2015	<u>68</u>	ORDER (The parties are directed to confer and submit to the Court, on or before 11/3/2015, a jointly proposed amended scheduling order setting deadlines for the completion of fact discovery and the filing of dispositive motions, including deadlines for filing responding and reply papers to any such motions.) Signed by Hon. Marian W. Payson on 10/20/2015. <i>Copy of Order sent by First Class Mail to Walter Buckingham on 10/20/2015.</i> (KAH) (Entered: 10/20/2015)
10/27/2015	<u>69</u>	DEMAND for Trial by Jury by Walter Buckingham. (JHF) (Entered: 10/27/2015)
10/30/2015	<u>70</u>	MOTION to Appoint Counsel by Walter Buckingham.(JHF) (Entered: 10/30/2015)
11/04/2015	<u>71</u>	AMENDED SCHEDULING ORDER (Please Note: This docket text may <u>not</u> contain the entire contents of the attached Order. It is your responsibility to read the attached

		Order and download it for future reference. Direct any questions to the Chambers of the Judge who entered this Order.) Fact Discovery to be completed by 3/31/2016. Dispositive Motions due by 6/1/2016. Responses due by 6/29/2016. Replies due by 7/13/2016. Signed by Hon. Marian W. Payson on 11/4/2015. <i>Copy of Amended Scheduling Order sent by First Class Mail to Walter Buckingham on 11/4/2015.</i> (KAH) (Entered: 11/04/2015)
11/05/2015	<u>72</u>	AFFIDAVIT in Opposition re <u>66</u> MOTION for Miscellaneous Relief filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 11/05/2015)
11/06/2015	<u>73</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>66</u> MOTION for Miscellaneous Relief. (CAM) (Entered: 11/12/2015)
11/17/2015	<u>74</u>	RESPONSE to re <u>72</u> Affidavit in Opposition to Motion filed by Walter Buckingham. Filing includes a DVD recording that is maintained in the Clerk's file. (JHF) (Entered: 11/17/2015)
02/24/2016	<u>75</u>	MOTION to Dismiss by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Certificate of Service)(Affronti, Mark) (Entered: 02/24/2016)
02/24/2016	<u>76</u>	MEMORANDUM in Support re <u>75</u> MOTION to Dismiss filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 02/24/2016)
02/25/2016		E-Filing Notification: please note that the case number in captions of <u>75</u> MOTION to Dismiss and <u>76</u> MEMORANDUM in Support are incorrect. The correct case number is: 6:13-CV-6264, not 1:13-CV-6264. This same attorney error was noted in the 5/26/15 E-Filing Notification. Action required: none for these documents, but please ensure that the correct case number is on all future documents, if not, the documents may have to be re-filed with the correct case number. (JHF) (Entered: 02/25/2016)
03/03/2016	<u>77</u>	RESPONSE in Opposition re <u>75</u> MOTION to Dismiss filed by Walter Buckingham. (JHF) (Entered: 03/03/2016)
03/03/2016	<u>78</u>	CERTIFICATE OF SERVICE by Walter Buckingham re <u>77</u> Response in Opposition to Motion. (JHF) (Entered: 03/03/2016)
03/03/2016	<u>79</u>	ORDER re <u>75</u> MOTION to Dismiss filed by Lewis General Tires, Inc. Responses due by 3/25/2016. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 3/3/16. (CAM) (Entered: 03/04/2016)
03/25/2016	<u>80</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>75</u> MOTION to Dismiss . (CAM) (Entered: 03/25/2016)
03/25/2016	<u>81</u>	RESPONSE to <u>75</u> Motion to Dismiss and CROSS MOTION to Compel by Walter Buckingham.(JHF) Modified on 4/4/2016 (JHF). (Entered: 03/25/2016)
03/29/2016	<u>82</u>	MOTION to Compel by Walter Buckingham.(TF) (Entered: 03/29/2016)
04/04/2016		E-Filing Notification: per MWP chambers, revised docket text of <u>81</u> to reflect correct filing event. (JHF) (Entered: 04/04/2016)
04/07/2016	<u>83</u>	ORDER re <u>75</u> MOTION to Dismiss filed by Lewis General Tires, Inc. Responses due by 4/29/2016. Motion Hearing set for 5/31/2016 02:00 PM before Hon. Marian W. Payson. Signed by Hon. Marian W. Payson on 4/7/16. (CAM) (Entered: 04/07/2016)
04/07/2016	<u>84</u>	ORDER re <u>81</u> MOTION to Compel filed by Walter Buckingham. Responses due by 4/29/2016. Motion Hearing set for 5/31/2016 02:00 PM before Hon. Marian W. Payson. Signed by Hon. Marian W. Payson on 4/7/16. (CAM) (Entered: 04/07/2016)
04/07/2016	<u>85</u>	ORDER re <u>82</u> MOTION to Compel filed by Walter Buckingham. Responses due by 4/29/2016. Motion Hearing set for 5/31/2016 02:00 PM before Hon. Marian W. Payson. Signed by Hon. Marian W. Payson on 4/7/16. (CAM) (Entered: 04/07/2016)

04/27/2016	<u>86</u>	AFFIDAVIT in Opposition re <u>81</u> MOTION to Compel, <u>82</u> MOTION to Compel filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 04/27/2016)
04/29/2016	<u>87</u>	RESPONSE in Opposition re <u>75</u> MOTION to Dismiss filed by Walter Buckingham. (JHF) (Entered: 05/02/2016)
05/06/2016	<u>88</u>	DISCOVERY DEMAND NOTICE by Walter Buckingham. (JHF) (Entered: 05/06/2016)
05/18/2016	<u>89</u>	DISCOVERY DEMAND by Walter Buckingham.(JHF) (Entered: 05/18/2016)
05/23/2016	<u>90</u>	AMENDED DISCOVERY DEMAND by Walter Buckingham.(JHF) (Entered: 05/24/2016)
05/31/2016	<u>91</u>	DECISION & ORDER plaintiff's request for the appointment of counsel <u>70</u> is denied without prejudice at this time. It is the plaintiff's responsibility to retain an attorney or press forward with this lawsuit <i>pro se</i> . Signed by Hon. Marian W. Payson on 5/31/2016. (KAH) (Entered: 05/31/2016)
05/31/2016		Remark: <i>Copy of Decision & Order <u>91</u> sent by First Class Mail to plaintiff Walter Buckingham on 5/31/2016.</i> (KAH) (Entered: 05/31/2016)
05/31/2016	<u>96</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Hearing held on 5/31/2016 re <u>75</u> MOTION filed by Lewis General Tires, Inc., <u>81</u> MOTION filed by Walter Buckingham, <u>66</u> MOTION for Miscellaneous Relief filed by Walter Buckingham, <u>82</u> MOTION to Compel filed by Walter Buckingham. Plaintiffs motions to compel (Docket ## 66, 81, 12) are granted in part and denied in part. Defendants motion to compel and for sanctions is granted in part and denied in part (Docket # 75).Appearances: Walater Buckingham, pro se, Mark R. Affronti, Esq.(Digital Recording) (CAM) (Entered: 06/08/2016)
06/01/2016	<u>92</u>	ORDER Plaintiff's motions to compel <u>66</u> <u>81</u> <u>82</u> are granted in part and denied in part. (<i>See contents of Order for specific directives.</i>) Signed by Hon. Marian W. Payson on 6/1/2016. <i>Copy of Order sent by First Class Mail to plaintiff Walter Buckingham on 6/1/2016.</i> (KAH) (Entered: 06/01/2016)
06/01/2016	<u>93</u>	ORDER Buckingham is directed to provide a copy of the settlement agreement to counsel for LGT on or before 6/30/2016. The settlement agreement shall be used solely in connection with this lawsuit. Signed by Hon. Marian W. Payson on 6/1/2016. <i>Copy of Order sent by First Class Mail to plaintiff Walter Buckingham on 6/1/2016.</i> (KAH) (Entered: 06/01/2016)
06/01/2016	<u>94</u>	AMENDED COMPLAINT against Lewis General Tires, Inc., filed by Walter Buckingham.(JHF) (Entered: 06/01/2016)
06/07/2016	<u>95</u>	ORDER re <u>94</u> Amended Complaint filed by Walter Buckingham. Buckingham must file a motion requesting leave of the Court to amend his complaint. Buckingham must file any motion seeking leave to amend his complaint on or before 7/7/2016. In the event Buckingham fails to file such motion by that date, the proposed amended complaint filed by Buckingham <u>94</u> shall be stricken from the docket, and the original complaint shall remain the operative pleading. Signed by Hon. Marian W. Payson on 6/7/2016. <i>Copy of Order sent by First Class Mail to plaintiff Walter Buckingham on 6/7/2016.</i> (KAH). Signed by Hon. Marian W. Payson on 6/7/2016. (KAH) (Entered: 06/07/2016)
06/10/2016	<u>97</u>	MOTION for Reconsideration by Walter Buckingham.(JHF) (Entered: 06/14/2016)
06/16/2016	<u>98</u>	RESPONSE to Discovery Request from Lewis General Tires by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Certificate of Service)(Affronti, Mark) (Entered: 06/16/2016)
06/28/2016	<u>99</u>	ANSWER to Interrogatories by Walter Buckingham.(JHF) Modified on 6/29/2016 to remove restriction (SG). (Entered: 06/28/2016)
07/01/2016	<u>100</u>	ORDER re <u>97</u> MOTION for Reconsideration filed by Walter Buckingham. The Court is willing to reconsider its order provided that Buckingham submits a copy of the settlement agreement to this Court on or before 7/15/16, for in camera review. If Buckingham does not provide a copy of the settlement agreement to the Court on or

		before that date, Buckingham is directed to produce a copy of the settlement agreement to the defendant on or before 7/22/16. The settlement agreement shall be used solely in connection with this lawsuit. Signed by Hon. Marian W. Payson on 7/1/16. (CAM) (Entered: 07/01/2016)
07/14/2016	<u>101</u>	MOTION for Reconsideration by Walter Buckingham.(JHF) (Entered: 07/14/2016)
07/19/2016	<u>103</u>	MOTION to Amend <u>94</u> Amended Complaint by Walter Buckingham.(JHF) (Entered: 07/20/2016)
07/19/2016		E-Filing Notification: No proof of service. Action required: File proof of service for <u>103</u> MOTION to Amend. (JHF) (Entered: 07/20/2016)
07/20/2016	<u>102</u>	ORDER denying <u>101</u> Motion for Reconsideration. Buckingham is directed to submit a copy of the settlement agreement to this Court on or before 8/2/2016, for <i>in camera</i> review. If Buckingham does not provide a copy of the settlement agreement to the Court on or before that date, Buckingham is directed to produce a copy of the settlement agreement to the defendant on or before 8/9/2016. The settlement agreement shall be used solely in connection with this lawsuit. Signed by Hon. Marian W. Payson on 7/20/2016. <i>Copy of Order sent by First Class Mail to plaintiff Walter Buckingham on 7/20/2016.</i> (KAH) (Entered: 07/20/2016)
07/26/2016	<u>104</u>	AFFIRMATION OF SERVICE by Walter Buckingham re <u>103</u> MOTION to Amend/Correct <u>94</u> Amended Complaint (TF) (Entered: 07/27/2016)
07/27/2016	<u>105</u>	ORDER re <u>103</u> MOTION to Amend/Correct <u>94</u> Amended Complaint filed by Walter Buckingham. Responses due by 8/19/2016. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 7/27/16. (CAM) (Entered: 07/29/2016)
07/29/2016	<u>106</u>	MOTION for to compel by Walter Buckingham.(JHF) Modified on 8/17/2016 (CAM). Modified on 8/17/2016 (JHF). (Entered: 08/02/2016)
08/02/2016	<u>107</u>	AMENDED MOTION to compel by Walter Buckingham.(JHF) Modified on 8/17/2016 (CAM). Modified on 8/17/2016 (JHF). (Entered: 08/02/2016)
08/02/2016	<u>108</u>	RESPONSE to re <u>102</u> Order, filed by Walter Buckingham. (JHF) (Entered: 08/02/2016)
08/04/2016	<u>109</u>	AFFIDAVIT in Opposition re <u>103</u> MOTION to Amend/Correct <u>94</u> Amended Complaint filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 08/04/2016)
08/15/2016	<u>110</u>	MOTION to Compel and for Sanctions by Walter Buckingham.(JHF) Modified on 8/16/2016 (JHF). (Entered: 08/15/2016)
08/16/2016		E-Filing Notification: per MWP chambers, revised docket text of <u>110</u> to "MOTION to Compel and for Sanctions" to reflect correct filing event. (JHF) (Entered: 08/16/2016)
08/16/2016	<u>111</u>	ORDER re <u>106</u> MOTION to compel filed by Walter Buckingham. Responses due by 9/12/2016. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 8/16/16. (CAM) (Entered: 08/17/2016)
08/16/2016	<u>112</u>	ORDER re <u>107</u> AMENDED MOTION to compel filed by Walter Buckingham. Responses due by 9/12/2016. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 8/16/16. (CAM) (Entered: 08/17/2016)
08/16/2016	<u>113</u>	ORDER re <u>110</u> MOTION to Compel filed by Walter Buckingham. Responses due by 9/12/2016. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 8/16/16. (CAM) (Entered: 08/17/2016)
08/17/2016		E-Filing Notification: Text corrected to reflect documents as motions to compel <u>107</u> MOTION for Miscellaneous Relief, <u>106</u> MOTION for Miscellaneous Relief (CAM) (Entered: 08/17/2016)

08/19/2016	<u>114</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>103</u> MOTION to Amend/Correct <u>94</u> Amended Complaint. (CAM) (Entered: 08/24/2016)
09/12/2016	<u>115</u>	AFFIDAVIT in Opposition re <u>107</u> MOTION to Compel, <u>106</u> MOTION to Compel, <u>110</u> MOTION to Compel filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 09/12/2016)
09/12/2016	<u>116</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motions Submitted without appearances: <u>107</u> MOTION to Compel, <u>106</u> MOTION to Compel, <u>110</u> MOTION to Compel. (CAM) (Entered: 09/14/2016)
11/29/2016	<u>117</u>	MOTION to Dismiss by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Memorandum in Support, # <u>3</u> Certificate of Service)(Affronti, Mark) (Entered: 11/29/2016)
12/02/2016	<u>118</u>	ORDER re <u>117</u> MOTION to Dismiss filed by Lewis General Tires, Inc. Responses due by 1/3/2017. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 12/2/16. (CAM) (Entered: 12/02/2016)
12/28/2016	<u>119</u>	RESPONSE in Opposition re <u>117</u> MOTION to Dismiss filed by Walter Buckingham. (JHF) (Entered: 12/29/2016)
01/03/2017	<u>120</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>117</u> MOTION to Dismiss . (CAM) (Entered: 01/03/2017)
01/23/2017	<u>121</u>	MOTION for Miscellaneous Relief by Walter Buckingham.(JHF) (Entered: 01/23/2017)
01/31/2017	<u>122</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on 5/31/16, before Judge Marian W. Payson. Court Reporter/Transcriber Christi A. Macri, email: christimacri50@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 2/21/2017. Redacted Transcript Deadline set for 3/3/2017. Release of Transcript Restriction set for 5/1/2017. (JHF) (Entered: 01/31/2017)
01/31/2017	<u>123</u>	ORDER re <u>121</u> MOTION for Miscellaneous Relief filed by Walter Buckingham. Responses due by 2/22/2017. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary. Signed by Hon. Marian W. Payson on 1/31/17. (CAM) (Entered: 02/01/2017)
02/22/2017	<u>124</u>	AFFIDAVIT in Opposition re <u>121</u> MOTION for Miscellaneous Relief filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Affidavit)(Affronti, Mark) (Entered: 02/22/2017)
02/22/2017	<u>125</u>	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>121</u> MOTION for Miscellaneous Relief. (CAM) (Entered: 02/23/2017)
03/09/2017	<u>126</u>	AFFIRMATION in Opposition to re <u>124</u> Affidavit in Opposition to Motion filed by Walter Buckingham. (JHF) (Entered: 03/09/2017)
03/09/2017	<u>127</u>	AFFIRMATION OF SERVICE by Walter Buckingham re <u>126</u> Affirmation in Opposition. (JHF) (Entered: 03/09/2017)
03/09/2017	<u>128</u>	AMENDED AFFIRMATION in Opposition to re <u>124</u> Affidavit in Opposition to Motion filed by Walter Buckingham. (JHF) (Entered: 03/10/2017)
03/14/2017	<u>129</u>	DECISION & ORDER LGT's motion to dismiss the complaint or for other sanctions <u>117</u> is denied without prejudice to renewal. Buckingham is directed to appear at the offices of LGT's counsel on April 12, 2017, at 10:00 a.m., to be deposed concerning the subject matter and location of the settlement agreement. Buckingham is cautioned that his failure to appear and answer relevant questions may result in the imposition of sanctions, including an order dismissing this action. Buckingham's motion to amend the complaint <u>103</u> is denied. Buckingham's motions to compel and for sanctions <u>106</u> , <u>107</u> , <u>110</u> , <u>121</u> are denied, although LGT is directed to further supplement its answer

		to Interrogatory 4 as set forth herein. Buckingham is further reminded of his obligation to confer with counsel for defendant about any discovery disputes prior to filing any motions relating to those disputes. (<i>See contents of Decision & Order for specific directives and deadlines.</i>) Signed by Hon. Marian W. Payson on 3/14/2017. <i>Copy of Decision & Order sent by First Class Mail to plaintiff Walter Buckingham on 3/14/2017.</i> (KAH) (Entered: 03/14/2017)
03/16/2017	<u>130</u>	RESPONSE to Discovery Request from Lewis General Tires by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 03/16/2017)
03/22/2017	<u>131</u>	MEMORANDUM/BRIEF by Walter Buckingham. (JHF) (Entered: 03/22/2017)
03/23/2017	<u>132</u>	ORDER denying <u>131</u> "Requesting Fairness in the Interest of Justice" filed by Walter Buckingham insofar as it may be construed as a request for reconsideration of the Court's 3/14/2017 Decision & Order <u>129</u> . Signed by Hon. Marian W. Payson on 3/23/2017. <i>Copy of Order sent by First Class Mail to plaintiff Walter Buckingham on 3/23/2017.</i> (KAH) (Entered: 03/23/2017)
03/30/2017	<u>133</u>	MOTION for Miscellaneous Relief by Walter Buckingham.(JHF) (Entered: 03/30/2017)
04/11/2017	134	TEXT ORDER Pursuant to a motion having been made by Walter Buckingham to change the location of his deposition <u>133</u> , and Mr. Buckingham having appeared in the United States Courthouse, Rochester, New York on April 11, 2017, and this Court having gone on the record with Mr. Affronti appearing by telephone and Mr. Buckingham appearing in person, it is hereby Ordered that Mr. Buckingham's motion <u>133</u> is granted. A video deposition shall be conducted on April 12, 2017, at 10:00 a.m., at the United States Courthouse, 100 State Street, Room 2300 (Judge Payson's Courtroom), Second Floor, Rochester, New York on Wednesday, April 12, 2017, at 10:00 a.m. Mr. Buckingham was directed to appear in person for the deposition and was warned that failure to appear may result in the imposition of sanctions, including dismissal of this action. Mr. Affronti shall appear in the Buffalo Courthouse and conduct the deposition by video. Signed by Hon. Marian W. Payson on 4/11/2017. <i>Copy of Text Order sent by First Class Mail to plaintiff Walter Buckingham on 4/11/2017.</i> (KAH) (Entered: 04/11/2017)
04/11/2017	135	Minute Entry for proceedings held before Hon. Marian W. Payson: Status Conference held on 4/11/2017. Defendants deposition will be held on 4/12/17 @ 10:00 a.m.. Mr. Buckingham will appear at the Rochester Courthouse. Mr. Affronti, along with a court reporter, will appear by video from the Buffalo Courthouse. Appearances: Walter Buckingham, pro se; Mark R. Affronti, Esq. by telephone(Digital Recording) (CAM) (Entered: 04/14/2017)
05/16/2017	<u>136</u>	MOTION to Dismiss by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit A, # <u>3</u> Memorandum in Support, # <u>4</u> Certificate of Service)(Affronti, Mark) (Entered: 05/16/2017)
05/26/2017	<u>137</u>	MOTION SCHEDULING ORDER re <u>136</u> MOTION to Dismiss filed by Lewis General Tires, Inc. (Responses due by 6/12/2017. Upon the filing of any responsive papers, the Court will take the motion under advisement and schedule oral argument at its convenience, if necessary.) Signed by Hon. Marian W. Payson on 5/26/2017. <i>Copy of this Motion Scheduling Order sent by First Class Mail to plaintiff Walter Buckingham at his address of record on 5/26/2017.</i> (KAH) (Entered: 05/26/2017)
05/26/2017	<u>138</u>	MOTION for Miscellaneous Relief by Walter Buckingham. (JHF) (Entered: 05/26/2017)
05/31/2017	<u>139</u>	Corrections to <u>138</u> MOTION for Miscellaneous Relief by Walter Buckingham. (JHF) (Entered: 05/31/2017)
06/08/2017	<u>140</u>	AFFIDAVIT in Opposition re <u>138</u> MOTION for Miscellaneous Relief filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 06/08/2017)
06/12/2017	142	Minute Entry for proceedings held before Hon. Marian W. Payson: Motion Submitted without appearances: <u>136</u> MOTION to Dismiss. (CAM) (Entered: 06/15/2017)

06/15/2017	<u>141</u>	ORDER denying <u>138</u> Motion for Miscellaneous Relief. Signed by Hon. Marian W. Payson on 6/15/2017. <i>Copy of this Order sent by First Class Mail to plaintiff Walter Buckingham on 6/15/2017 to his address of record.</i> (KAH) (Entered: 06/15/2017)
06/26/2017	<u>143</u>	AFFIDAVIT in Support re <u>136</u> MOTION to Dismiss filed by Lewis General Tires, Inc.. (Attachments: # <u>1</u> Certificate of Service)(Affronti, Mark) (Entered: 06/26/2017)
07/13/2017	<u>144</u>	AFFIRMATION IN OPPOSITION re <u>143</u> Affidavit in Support of Motion by Walter Buckingham. (Attachments: # <u>1</u> Exhibit) (JHF) (Entered: 07/13/2017)
07/27/2017	<u>145</u>	MOTION to Appoint Counsel by Walter Buckingham. (JHF) (Entered: 07/27/2017)
08/14/2017	146	TEXT ORDER. Pursuant to Sections 2.1(B) and 4.1(A)(5) of the Courts Alternative Dispute Resolution Plan, this case is referred to mediation during a concentrated Settlement Week to be conducted at the United States Courthouse, 100 State Street, Rochester, New York, during the period of November 13 through 22, 2017. Mediator fees up to a specified amount will be paid by the Districts Clerks Office, the procedure for which will be established prior to the session. The Court will assign a Mediator and select the date and time for the session, and the parties will be so notified by further Order. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 8/14/17. (PFC) (A copy of this Text Order has been mailed to Plaintiff) (Entered: 08/14/2017)
08/29/2017	147	TEXT ORDER. The Court hereby assigns Michael Geraci, Esq., pro bono, to represent Plaintiff for the limited purpose of the preparation for and participation in a mediation session during Settlement Week pursuant to the Courts prior referral Order and any continuation of such session thereafter if agreed upon by the parties and the mediator. Counsels involvement in this matter will terminate upon completion of the mediation session(s) conducted as part of Settlement Week. The Clerk of Court shall send a copy of this text order to counsel, along with this Court's Guidelines Governing Reimbursement from the District Court Fund of Expenses Incurred by Court Appointed Counsel. The Chief Judge of this Court will also issue an Order directing PACER to waive its fees so that pro bono counsel can access any other documents filed in this case that he or she may need. If any portion of the file in this matter is not available through PACER on the Court's Case Management/Electronic Case Management System, the Clerk of the Court shall provide a free copy of any such documents to counsel upon request. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 8/29/2017. (PFC) -CLERK TO FOLLOW UP- (Entered: 08/29/2017)
08/29/2017		Remark. A copy of this Text Order has been mailed to Plaintiff. (PFC) (Entered: 08/29/2017)
09/14/2017	148	TEXT ORDER. Pursuant to the Court's referral of this case to "Settlement Week" mediation, J. Nelson Thomas is hereby designated to be the Mediator. The session shall be conducted on Monday, 11/13/17 beginning at 9:30 AM. The Mediator shall contact the attorneys (or parties if not represented) on pre-session matters. Pursuant to ADR Plan Section 5.6, the parties shall submit a Mediation Memorandum to the Mediator prior to the session. Pursuant to ADR Plan Section 5.8 A, all parties and their counsel are required to attend. Issued by Hon. Elizabeth A. Wolford on 9/14/17. (JHF) (Entered: 09/14/2017)
10/12/2017	149	TEXT ORDER. Pursuant to the Court's referral of this case to "Settlement Week" mediation, J. Nelson Thomas is hereby designated to be the Mediator. The session shall be conducted on Tuesday, 11/14/17 beginning at 9:30 AM. The Mediator shall contact the attorneys (or parties if not represented) on pre-session matters. Pursuant to ADR Plan Section 5.6, the parties shall submit a Mediation Memorandum to the Mediator prior to the session. Pursuant to ADR Plan Section 5.8 A, all parties and their counsel are required to attend. Issued by Hon. Elizabeth A. Wolford on 10/12/17. (JHF) (Entered: 10/12/2017)
11/14/2017	<u>150</u>	Mediation Certification by J. Nelson Thomas(AGB) (Entered: 11/14/2017)
11/22/2017	151	TEXT ORDER. The assignment by 147 Text Order, entered August 29, 2017, of Michael Geraci, Esq., pro bono, to represent Plaintiff during Settlement Week mediation, is hereby terminated. SO ORDERED. Signed by Hon. Elizabeth A. Wolford on 11/22/17. (PFC) (A copy of this Text Order has been mailed to Plaintiff's address of record)

		-CLERK TO FOLLOW UP- (Entered: 11/22/2017)
12/07/2017	<u>152</u>	DECISION & ORDER denying without prejudice <u>145</u> Motion to Appoint Counsel. It is the plaintiff's responsibility to retain an attorney or press forward with this lawsuit <i>pro se</i> . Signed by Hon. Marian W. Payson on 12/7/2017. <i>Copy of this Decision & Order sent by First Class Mail to plaintiff Walter Buckingham on 12/7/2017 to his address of record.</i> (KAH) (Entered: 12/07/2017)
12/19/2017	<u>153</u>	RESPONSE to re <u>152</u> Order on Motion to Appoint Counsel, filed by Walter Buckingham. (JHF) (Entered: 12/19/2017)
01/02/2018	<u>154</u>	ORDER re <u>153</u> Reply/Response filed by Walter Buckingham. Insofar as this filing may be construed as a motion for reconsideration of this Court's 12/7/2017 Decision and Order <u>152</u> , it is denied. Signed by Hon. Marian W. Payson on 1/2/2018. <i>Copy of this Order sent by First Class Mail to plaintiff Walter Buckingham on 1/3/2018 to his address of record.</i> (KAH) (Entered: 01/03/2018)
01/16/2018	<u>155</u>	Mediation Certification by J. Nelson Thomas(AGB) (Entered: 01/16/2018)
03/01/2019	<u>156</u>	Notice of Substitution of Counsel: Mark R. Affronti is substituted for Mark R. Affronti. CLERK TO FOLLOW UP. (Affronti, Mark) (Entered: 03/01/2019)
03/04/2019	<u>157</u>	Letter from plaintiff Walter Buckingham, dated 4/20/2015, requesting an extension to submit agreement. (KAH) (Entered: 03/04/2019)
03/04/2019	<u>158</u>	REPORT AND RECOMMENDATION It is recommended that the district court grant LGT's motion <u>136</u> for an order dismissing Buckingham's complaint. Objections due fourteen days from receipt. Signed by Hon. Marian W. Payson on 3/4/2019. <i>Copy of this Report and Recommendation sent by First Class Mail to plaintiff Walter Buckingham on 3/4/2019 to his address of record.</i> (KAH) (Main Document 158 replaced on 3/4/2019) (KAH). (Entered: 03/04/2019)
03/04/2019		E-Filing Notification: (Document replaced with correct document) <u>158</u> REPORT AND RECOMMENDATIONS re <u>136</u> MOTION to Dismiss filed by Lewis General Tires, Inc. (KAH) (Entered: 03/04/2019)
03/18/2019	<u>159</u>	OBJECTIONS to <u>158</u> Report and Recommendations by Walter Buckingham. (JHF) Modified on 3/22/2019 (JHF). (Entered: 03/19/2019)
03/22/2019		E-Filing Notification: Clerk revised docket text of <u>159</u> to "OBJECTIONS to Report and Recommendations" to clarify the filing event per Judge Wolford's chambers. (JHF) (Entered: 03/22/2019)
03/27/2019	<u>160</u>	ORDER adopting <u>158</u> Report and Recommendations in its entirety; granting <u>136</u> Motion to Dismiss. Clerk directed to enter judgment in favor of Defendant and close this case. Signed by Hon. Elizabeth A. Wolford on 3/27/19. (JHF) (Entered: 03/27/2019)
03/27/2019	<u>161</u>	JUDGMENT in favor of Lewis General Tires, Inc. against Walter Buckingham. Signed by Clerk on 3/27/19. (JHF) (Entered: 03/27/2019)
03/27/2019		Copy of <u>160</u> Order and <u>161</u> Judgment mailed to pro se plaintiff. (JHF) (Entered: 03/27/2019)
04/15/2019	<u>162</u>	NOTICE OF APPEAL as to <u>160</u> and <u>161</u> Judgment by Walter Buckingham. No fee paid. IFP previously granted. (JHF) (Entered: 04/17/2019)